

MAY 14 2007

Application No.: 10/622,211

Docket No.: MWS-055

REMARKS

Claims 4-18 and 22-32 were presented for examination. Upon entry of this paper, claims 17, 22, 25 and 30 have been amended. No new matter has been added. Applicants contend that claims 4-18 and 22-32 are patentable and in condition for allowance as discussed below.

Rejections under 35.U.S.C. § 101

The Examiner states that Applicants' request for reconsideration filed on March 23, 2007 has been considered but it does not place the application in condition for allowance because the previous amendments to claims 22, 25 and 30 do not overcome the rejections under 35.U.S.C. § 101. The Examiner further states that the claims, in general, are directed to the generation of code, however, this code is not stored anywhere so that it can be put to use in a real-world application. The Examiner maintains the previous objection of claim 17 based on these reasons, (Advisory Action, p. 2, §11).

Applicants amend claim 17 to recite "instructions for storing the generated code in a storage device."

Applicants amend claim 22 to recite "instructions for storing the first set of functions in a storage device" and "instructions for storing the second set of functions in the storage device."

Applicants amend claim 25 to recite "instructions for storing the grouped code in a storage device."

Applicants amend claim 30 to recite "instructions for storing each of the sets of code statements in a storage device."

Applicants believe that the amendments address the Examiner's concern about the generated code and code statements not being stored and the real world application of the claimed mediums. Applicants respectfully submit that the amendments place the claims in better form for appeal.

Accordingly, Applicants request the Examiner to review and withdraw the rejection of claims 17, 22, 25, and 30 under 35 U.S.C. § 101.

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CONCLUSION

In view of the above comments, Applicants believe the pending application is in condition for allowance and urge the Examiner to pass the claims to allowance. Should the Examiner feel that a teleconference would expedite the prosecution of this application, the Examiner is urged to contact the Applicants attorney at (617) 227-7400.

Please charge any shortage or credit any overpayment of fees to our Deposit Account No. 12-0080, under Order No. MWS-055. In the event that a petition for an extension of time is required to be submitted herewith, and the requisite petition does not accompany this response, the undersigned hereby petitions under 37 C.F.R. §1.136(a) for an extension of time for as many months as are required to render this submission timely. Any fee due is authorized to be charged to the aforementioned Deposit Account.

In view of the above amendment, applicant believes the pending application is in condition for allowance.

Dated: May 14, 2007

Respectfully submitted,

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